

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- August 24, 1966

Appeal No. 8866 Dr. Henry H. Balch, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made seconded and unanimously carried, the following Order was entered at the meeting of the Board on August 31, 1966.

EFFECTIVE DATE OF ORDER -- Feb. 17, 1967

ORDERED:

That the appeal for a variance from the requirements of Sections 7205.2 and 7204.1 to permit parking in front of single-family dwelling and parking spaces less than 9 x 19 in size at 1318 - 30th St., NW., lot 824, square 1233, be denied.

FINDINGS OF FACT:

(1) Appellants property is in an R-^{fu}~~3~~ District which requires that off-street parking spaces be located in accordance with Paragraph 7204, 7205.12 and 7205.21.

(2) The subject property is located at the intersection of 30th Street, NW. and Dumbarton Avenue. It is 40 feet wide along 30th Street and 80 feet deep, and is improved with a single-family structure facing 30 Street.

(3) Appellant requests a variance so that he may locate two off-street parking spaces between the front of the residence building and 30th Street.

(4) A site plan (Exhibit No. 1) dated July 26, 1966 shows the specific location and details of the proposed improvement. Appellant proposes to locate 2 automobile parking spaces in the front yard. The existing earth embankment will be lowered to street grade and the space under the front porch will be excavated and made a part of the proposed parking area. Each parking space will be 9 x 18'2" and will extend under the porch approximately 7'2". A retaining wall will be constructed along the adjoining side property line. An existing street tree will remain within a grass strip 18" wide separating the two parking areas. The plan also shows a patio approximately 25' x 25' along Dumbarton Avenue at the rear of the property.

(5) The alleged hardship arises from the fact that appellant is a surgeon and is sometimes subject to night calls and he desires to park his automobile close to his home. The lack of off-street parking facilities in the area require that a considerable amount of time be spent looking for a parking space, very often the only one is some distance from his residence. He presently rent a garage, but will not be able to continue this in the future.

(6) There were objections to this request from the neighborhood. The principal objections are :

- (a) The proposed location of the off-street parking spaces would be totally incompatible with the character of the neighborhood and would be detrimental to efforts to maintain the historical architecture and appearance of Georgetown.
- (b) The excavation may cause damage to the side walls of the adjoining building, which is approximately 100 years old.
- (c) The type of hardship claimed by the appellant is of personal nature and is not such a hardship as is intended by the Regulations.
- (d) While the parking problem is acute throughout Georgetown, appellant's corner lot gives him a more favorable opportunity to find curb space than other residents. In this respect, his parking problem is not unique and is less sever than most.

OPINION:

It is the opinion of the Board that appellant has failed to establish any hardship due to an exceptional condition of his property. The alleged hardship is based upon a personal inconvenience that a surgeon subject to night calls would encounter in any area where parking is critical. Furthermore, the site plan shows that there is sufficient area in the rear of this property to locate an off-street parking area without changing the appearance of the building or changing the grade of the lot.

The objections raised by the neighborhood indicate that the type of construction proposed here would be incompatible with the general character of the neighborhood. We find no hardship within the meaning of the variance clause of the Zoning Regulations. Further, the granting of this appeal, in our view, would do substantial violence to the purpose and intent of the Regulations and consequently adversely affect the public interest.